

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

EON INTERNATIONAL CORPORATION,

Plaintiff,

Civil Case No.: 19-CV-764

v.

DECLARATION

SAFECOMM PRODUCTS, LLC,
Defendant.

KAREN A. KMIOTEK, declares, pursuant to 28 U.S.C. § 1746,
that the following is true and correct:

1. I am a legal assistant for Michael A. Brady and Daniel J. Brady at Hagerty & Brady.

2. I make this declaration based on my own personal recollection and a review of notes I made contemporaneous with events described herein.

3. On May 22, 2019, I arranged for Michael A. Brady's letter of May 22, 2019, which included a copy of the draft Complaint, to be hand-delivered by 123 Delivery to Safecomm Products, LLC, at their listed address of 3221 Southwestern Blvd, Suite 290, Orchard Park, NY 14127. That day, the deliveryman called to say it was a UPS store, but that he left the letter for Safecomm which had a mail drop there.

4. The next day, May 23, 2019, I tried to contact Sonny Hawkins at 716-312-1255, but the phone number was just a continuous fast busy signal. I then tried to contact Mr. Hawkins at 716-674-4988 and a man answered as "Tiger Performance."

5. I explained that I was trying to reach Sonny Hawkins of Safecomm.

6. The man on the phone became immediately evasive, stated he could not give out any information, then hung up.

7. I then faxed Mr. Brady's May 22, 2019 letter, including the draft Complaint, to Mr. Hawkins at 716-674-7497, which fax number was listed on the website for Tiger Performance, which also listed Sonny Hawkins as its President/CEO. The fax report shows it went through successfully that day, May 23, 2019.

8. I attach as **Exhibit A** to this declaration a true and accurate copy of the fax transmission, including the confirmation page and Mr. Brady's correspondence.

9. We received no response from Mr. Hawkins, Tiger Performance, or Safecomm following these telephone, fax, and personal delivery contact attempts.

10. I declare under the penalty of perjury that the foregoing is true and correct.

DATED: November 17, 2020
Buffalo, New York


KAREN A. KMIOTEK